



OCCOQUAN TOWN COUNCIL
Regular Meeting Minutes
Town Hall - 314 Mill Street, Occoquan, VA 22125
Tuesday, May 5, 2015
7:00 p.m.

Present: Mayor Liz Quist, Vice Mayor Pat Sivigny, Councilmembers Joe McGuire, J. Matthew Dawson, Jim Drakes and Tyler Brown.
Staff: Kirstyn Jovanovich, Town Manager; Bruce Reece, Town Engineer; Chief Sheldon Levi, Town Sergeant/Chief of Police; Abigail Breeding, Town Treasurer; Greg Holcomb, Town Clerk.

Absent: None

1. Call to Order

Mayor Quist called the meeting to order at 7:00 p.m.

2. Pledge of Allegiance

3. Citizen's Time

None

4. Approval of Minutes

It was moved to approve the minutes of the April 7, 2015 Regular Meeting Minutes.

A motion was made by Councilmember McGuire, seconded by Councilmember Drakes that the Action Item be approved as presented. The motion carried by poll vote, unanimous.

5. Council Member Reports

Councilmember McGuire stated that the Planning Commission approved the Kiely Court final site plans at their April 14, 2015 meeting.

6. Mayor's Report

1. Attended an emergency management meeting with Ms. Jovanovich and Chief Levi regarding the Fairfax Water Authority Dam. Mayor Quist suggested that Council members sign up for the Prince William County and Fairfax County alert systems, so as to stay informed of weather, traffic & other incidents impacting both counties and their constituents.
2. Met with Art Klos with the Virginia Department of Transportation, Ms. Jovanovich and Mr. Reese regarding parking under the Rt. 123 Bridge and the possibility of locating a parking structure under the bridge.
3. Served at a celebrity luncheon for the Rotary Club. She noted that, at the event, she was approached by a recent renter of Mamie Davis Park who was pleased that the parking spaces were removed. She further noted that this made for a better background for photos.

7. Staff Reports

Report of Town Attorney: Mr. Crim, Town Attorney, reported on the following activities:

1. Requested an executive session to discuss craft show banners.
2. Noted that he will be out for the June meeting and will be represented by a staff attorney.
3. Councilmember McGuire asked about the status of removing the signs on the Tanyard Hill property. Mr. Crim noted that this would be in violation of the proffers. Ms. Jovanovich stated that the Town will pursue removing the proffers after July, when the new fiscal year begins.
4. Councilmember Brown noted that he recently learned of a River Mill brand flour and he was concerned with potential trademark conflicts with the Town's naming of River Mill Park. Mr. Crim stated he didn't believe it would be an issue, but would check and follow up with Town Council.

Report of Town Engineer: Mr. Reese, Town Engineer, reported on the following activities:

1. Land Disturbance Report:
 - a. Fairfax Water River Station tank demolition
 - b. Occoquan Heights
 - c. 124 Poplar Alley
 - d. Gaslight Landing
 - e. Vistas at Occoquan
 - f. Rivertown Overlook
2. Noted that there were no zoning approvals for April.
3. 124 Poplar Alley had a minor site plan amendment that was approved by the Planning Commission, which revises the stormwater management plan for the site.
4. On May 12, 2015, the Fairfax County Board of Supervisors will discuss the Vulcan Quarry plan revisions.
5. In the absence of Mr. Williams, Mr. Reese presented an update on River Mill Park.
 - a. Fairfax County Water Authority anticipates the completion of their portion of construction by the beginning of June, with a coordination meeting scheduled for May 7, 2015.
 - b. An aerial electric line was removed and a Cox and Verizon line will be removed during the next phase of construction.
 - c. Building plans and retaining wall designs have been approved and awaiting permits.
 - d. Construction bidding closed on April 20, and are being reviewed.
 - e. New comments from VDOT on the bridge improvement plans have been received.
 - f. Phase II plans should be ready for review beginning the next week.

- g. Councilmember Brown asked about the Occoquan Heights bond release. Mr. Reese stated that process has begun.
- h. Councilmember Brown also asked about the hole in the fence at the Vistas of Occoquan. Mr. Reese stated he still needed to look into the issue and will follow up with Town Council.
- i. Vice Mayor Sivigny asked what the Occoquan Heights developer's response was to the concerns of the trees. Mr. Reese stated that the developer has acknowledged that we have concerns; however, no action has been taken by the developer.
- j. Mr. Crim noted that the hazard with the fence (at Vistas) can be resolved with a letter from the Town Manager.

Report of Town Manager: Ms. Jovanovich, Town Manager, reported on the following:

1. Noted that two Planning Commission members have resigned. She stated that this left the Commission at six members, which is still above the minimum.
2. There are 108 Businesses that have filed renewal applications for BPOL, 106 of those paid.
3. During the April Meeting it was stated that twenty three properties were delinquent on Real Estate Tax. That number has dropped to thirteen.
4. Ms. Jovanovich requested that the Council approve the contract for the Fall Arts and Crafts Show shuttle service of \$14,040.

It was moved to approve \$14,040 for shuttle service for the Fall Arts and Craft Show.

A motion was made by Vice Mayor Sivigny, seconded by Councilmember McGuire that the Action Item be approved. Unanimous.

5. Almost 40 people volunteered for the spring Friends of the Occoquan Cleanup in April. Ms. Jovanovich thanked Police Chief Sheldon Levi, Ms. Krista Forcier, Craft Show Director, and Mr. Bucky Brill, Maintenance Supervisor, for assisting with the cleanup.

Report of Chief of Police: Chief Levi provided a report on public safety activities during April 2015.

Councilmember McGuire requested a more detailed report to increase transparency.

Boards and Commissions:

Architectural Review Board Report: Councilmember Dawson presented the ARB report, stating that three sign applications and one exterior elevation were approved. He also stated that there were five Certificates of Appropriateness issued. He noted that at the next meeting, the Board will discuss exterior elevation design guidelines.

8. Regular Business

8A. Request to Adopt Fiscal Year 2016 Budget and Tax Rates

It was moved to set a Real Estate Tax Rate for the Fiscal Year 2016 beginning July 1, 2015 of \$.11 per \$100 of assessed valuation.

AND

It was moved to set a Meals Tax Rate for the Fiscal Year 2016 beginning July 1, 2015 of (3%) three percent.

AND

It was moved to set a Transient Tax Rate for the Fiscal Year 2016 beginning July 1, 2015 of (2%) two percent.

AND

It was moved to adopt the Fiscal Year 2016 Budget beginning July 1, 2015 as presented in the amount of \$583,038.

AND

It was moved to adopt the Fiscal Year 2016 Capital Improvement Plan beginning July 1, 2015 as presented in the amount of \$1,005,000.

AND

It was moved to adopt the Fiscal Year 2016 Mamie Davis Fund beginning July 1, 2015 as presented in the amount of \$2,000.

AND

It was moved to adopt the Fiscal Year 2016 Craft Show Fund beginning July 1, 2015 as presented in the amount of \$222,825 for revenues and \$104,182 for expenditures.

A motion was made by Vice Mayor Sivigny, seconded by Councilmember McGuire that the Action Item be approved. The motion carried by poll vote, passing 4-1, with Councilmember Brown voting Nay.

8B. Request to Approve Kiely Court Final Site Plan

Public Comment:

Mr. Ronald Houghton, owner of Rockledge Mansion, 440 Mill Street, stated that he did not approve of the way the zoning ordinances were applied to the proposal. He has filed an

appeal with the Board of Zoning Appeals. He cited that he has a prescriptive easement on the property, his driveway will be affected by the project and he is concerned with the historic view shed of Rockledge.

Mr. David Irwin, 229 Mill St., stated that he was opposed to the plan. He noted that several of the Planning Commission members did not vote for the plan. Finally, he expressed his concerns over the view of Rockledge Mansion from Mill Street.

Mr. Lance Houghton, 127 Washington St., asked the Town Council to not approve the site plan. He believed that the site plan is unrealistic, especially in regard to parking. He further stated that he thought that a significant amount of land would need to be removed to make that much parking and there will be issues with the bed rock. He also stated that he did not see an elevation description on the plan.

Mr. Harry Ervin, 309 Mill St., believed that the Town Engineers approved the plan with disregard to stormwater issues. He noted that the plan states that the Occoquan River is an adequate channel for removal of water. He further noted that water from the site will utilize Mill Street as a means of stormwater management and he did not believe this would be adequate.

Mr. Todd Phillip, Freeland Engineering, engineer for the site plan applicant, answered several concerns of residents. He noted that the driveway of Rockledge would not be impacted, rock borings did not find rock within 25 feet of the surface, and there will be little water runoff from the site. He further stated he stands behind his plans.

The Town Council expressed concerns over the use of dynamite to remove rock. Mr. Reese stated that there are numerous ways to remove rock and the Town would have to approve the use of dynamite. He further noted that anything that is done to the site to remove rock cannot negatively impact the neighboring properties.

It was moved to approve the final site plan for Kiely Court.

A motion was made by Councilmember McGuire, seconded by Councilmember Drakes that the Action Item be approved. The motion carried by poll vote, passing 4-1, Councilmember Brown voting Nay.

8C. Request to Approve Occoquan Heights As-Built Drawings

It was moved to approve the Occoquan Heights Final As-Built Drawings.

A motion was made by Councilmember Dawson, seconded Councilmember McGuire that the Action Item be approved. The motion carried by poll vote, unanimous.

8D. Request to Appropriate Additional Funding for River Road Repair and Repaving Project

It was moved to appropriate \$10,140 from the Capital Improvement Fund for the repair of curbing and asphalt, and restriping of the parking area located in front of the residences on River Road to be performed by Prince William County Public Works, contingent upon property owners' agreement to reimburse the Town for the cost of this portion of the project.

A motion was made by Councilmember Drakes, seconded by Councilmember McGuire that the Action Item be approved. The motion carried by poll vote, passing 4-1, Councilmember Brown voting Nay.

8E. Request to Approve the Town's Participation in a Board of Zoning Appeals Training Workshop.

It was moved approve the Town's participation in a regional Board of Zoning Appeals training workshop for an amount of \$1,000 from Operating-Education and Training, contingent on four of the five board members attending.

A motion was made by Councilmember Brown, seconded by Councilmember Dawson that the Action Item be approved. The motion carried by poll vote, unanimous.

9. Closed Session

Vice Mayor Sivigny moved that the Council convene in closed session to discuss as permitted by Virginia Code § 2.2-37711 (A)(7) another matter requiring advice of counsel regarding Craft Show banners. Councilmember Brown seconded.
The motion carried unanimously.

The Council came out of closed session at 8:41 p.m. Vice Mayor Sivigny moved that the Council certify that, in the closed session just concluded, nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be discussed under the provisions of the Virginia Freedom of Information Act cited in that motion. Councilmember McGuire seconded. **Motion passed, Ayes- Councilmember Brown, Councilmember Drakes, Councilmember Dawson, Councilmember McGuire, and Vice Mayor Sivigny, by roll call vote.**

10. Adjournment

The meeting was adjourned at 8:42 p.m.

Greg Holcomb, Town Clerk